

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BARRY HOLSCHUH,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:08cv519
vs.	:	
	:	Chief Judge Susan J. Dlott
COMMISSIONER OF SOCIAL SECURITY,	:	
	:	
Defendant(s).	:	

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Timothy S. Black filed on November 10, 2009 (Doc. 15), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired November 30, 2009, hereby ADOPTS said Report and Recommendation.

Accordingly, the decision of the Commissioner to deny Plaintiff SSI and DIB benefits is **REVERSED** and this matter is **REMANDED** under sentence four of 42 U.S.C. § 405(g).

On remand, the Commissioner will obtain testimony and evaluation from a medical expert in order to assess plaintiff's complaints of dizziness, and to provide an accurate RFC assessment. The medical expert will examine plaintiff and review all of his medical records.

Additionally, the medical expert will evaluate whether plaintiff's limitations will prevent him from working on a sustained basis.

IT IS SO ORDERED.

—
s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court